

2013 DRAFTING REQUEST

Bill

Received: **12/4/2012** Received By: **rchampag**
Wanted: **Today** Same as LRB:
For: **Administration-Budget** By/Representing: **Bong**
May Contact: Drafter: **rchampag**
Subject: **Employ Pub - civil service** Addl. Drafters:
Employ Pub - miscellaneous Extra Copies:

Submit via email: **YES**
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Bong, BB0277 -

Topic:

Assistant Deputy Secretary Positions

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 12/4/2012			_____			
/1	rchampag 2/13/2013	kfollett 12/5/2012	jmurphy 12/5/2012	_____	sbasford 12/5/2012		State
/2		csicilia 2/13/2013	rschluet 2/13/2013	_____	mbarman 2/13/2013		State

FE Sent For:

<END>

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1/2 cjs 2/13
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/?	rchampag	11/5/12 1245	Jan 12/5/12	Jan + RH 12/5/12			

FE Sent For:

<END>

Champagne, Rick

From: Hanaman, Cathlene
Sent: Monday, December 03, 2012 9:31 AM
To: Champagne, Rick; Kuesel, Jeffery
Subject: FW: Statutory Language Drafting Request - BB0277

From: SashaE.Bong@wisconsin.gov [mailto:SashaE.Bong@wisconsin.gov]
Sent: Monday, December 03, 2012 9:31 AM
To: Hanaman, Cathlene
Cc: Kraus, Jennifer - DOA; Bong, Sasha E - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0277

Biennial Budget: 2013-15

DOA Tracking Code: BB0277

Topic: Executive Assistant Positions

SBO Team: GGCF

SBO Analyst: Bong, Sasha - DOA
Phone: (608) 266-5468
E-mail: SashaE.Bong@wisconsin.gov

Agency Acronym: DOA

Agency Number: 505

Priority: Medium

Intent:

Under s. 15.05(3), secretaries may appoint an executive assistant. For all cabinet agencies, change the title of this position from executive assistant to assistant deputy secretary.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0707/1
RAC: kjf

DOA:.....Bong, BB0277 – Assistant Deputy Secretary Positions

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

Don't Gen

1. **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE EMPLOYMENT

Currently, each cabinet secretary may appoint an executive assistant outside the classified service of the state civil service system to perform duties prescribed by the secretary. This bill eliminates this power and instead authorizes each secretary to appoint an assistant deputy secretary outside the classified service of the state civil service system to perform duties prescribed by the secretary.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- 2 **SECTION 1.** 15.05 (3) of the statutes is repealed and recreated to read:
3 15.05 (3) ASSISTANT DEPUTY SECRETARY AND EXECUTIVE ASSISTANT. (a) ✓ Each
4 secretary may appoint an assistant deputy secretary to serve at his or her pleasure

1 outside the classified service. The assistant deputy secretary shall perform duties
2 as the secretary prescribes. *Wisconsin*

3 (b) The attorney general, the adjutant general, the director of the technical
4 college system, and the state superintendent of public instruction may appoint an
5 executive assistant to serve at his or her pleasure outside the classified service. The
6 executive assistant shall perform duties as his or her appointing authority
7 prescribes.

8 **SECTION 2.** 15.05 (5) (title) of the statutes is amended to read:

9 15.05 (5) (title) EXECUTIVE ASSISTANT DEPUTY SECRETARY AND EXECUTIVE
10 ASSISTANT APPROVALS.

History: 1973 c. 90; 1977 c. 4, 196; 1985 a. 18; 1985 a. 332 s. 251 (3); 1989 a. 31, 169; 1993 a. 399; 1995 a. 27; 2011 a. 36.

11 **SECTION 3.** 20.923 (9) of the statutes is amended to read:

12 20.923 (9) EXECUTIVE ASSISTANT DEPUTY SECRETARY AND EXECUTIVE ASSISTANTS.

13 Salaries for assistant deputy secretaries and executive assistants appointed under
14 ss. 15.05 (3) and 15.06 (4m) shall be set by the appointing authority. The salary for
15 an assistant deputy secretary or an executive assistant appointed under s. 15.05 (3)
16 or 15.06 (4m), other than the salary for the executive assistant to the director of the
17 technical college system, may not exceed the maximum of the salary range 2 ranges
18 below the salary range for the executive salary group to which the department or
19 agency head is assigned. The position of administrative assistant to the lieutenant
20 governor shall be treated as are executive assistants for pay purposes under this
21 subsection. The salary for the executive assistant appointed under s. 230.04 (16)
22 shall be set by the appointing authority. The salary for that position may not exceed

- 1 the maximum of the salary range 2 ranges below the salary range for the executive
2 salary group to which the appointing authority is assigned.

History: 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123, 144, 184, 294, 349, 399, 490; 1995 a. 27 ss. 1193 to 1217m, 9130 (4), 9216 (19); 1995 a. 37, 216, 225; 1997 a. 2, 3, 27, 29, 41, 194, 237; 1999 a. 9, 42, 102, 186; 2001 a. 16, 19, 29, 109; 2003 a. 33 ss. 721 to 735m, 9160; 2003 a. 91, 320; 2005 a. 25; 2007 a. 1; 2007 a. 20 ss. 616 to 630, 9121 (6) (a); 2007 a. 196; 2009 a. 28, 180; 2011 a. 10, 32, 38; s. 13.92 (2) (i).

- 3 **SECTION 4.** 93.02 of the statutes is amended to read:

- 4 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out
5 of the duties of the department, all of whom shall be under the classified service
6 except the deputy secretary, the executive assistant deputy secretary, and, subject
7 to s. 230.08 (4) (a), the administrators of divisions. Each such deputy secretary,
8 executive assistant deputy secretary, or administrator shall be appointed by the
9 secretary with the approval of the board.

History: 1977 c. 418.

- 10 **SECTION 5.** 230.08 (2) (fs) of the statutes is amended to read:

- 11 230.08 (2) (fs) All deputies of department secretaries appointed under s. 15.04
12 (2) ~~and executive assistants~~, assistant deputy secretaries to department secretaries
13 appointed under s. 15.05 (3), ~~including those~~ and executive assistants appointed by
14 the attorney general, the adjutant general, the director of the technical college
15 system, and the state superintendent of public instruction under s. 15.03 (3).

History: 1971 c. 40, 270; 1973 c. 333, 335; 1977 c. 29, 187; 1977 c. 196 ss. 34, 108, 130 (5); 1977 c. 272, 418, 449; Stats. 1977 s. 230.08; 1979 c. 34, 189, 221, 356, 361; 1981 c. 20, 347, 374; 1983 a. 27 ss. 1605o to 1609am, 2200 (15); 1983 a. 189 s. 329 (27); 1983 a. 371, 378; 1985 a. 29; 1987 a. 27, 119, 204, 354, 399, 403; 1989 a. 31, 107, 119, 122, 169, 208, 219, 336; 1991 a. 39, 250, 269; 1993 a. 16, 349, 399; 1995 a. 27 ss. 6245 to 6277m, 9126 (19), 9130 (4); 1995 a. 216; 1997 a. 3, 27, 179, 194, 237; 1999 a. 9, 42, 87, 186; 2001 a. 16, 19, 109; 2003 a. 33 ss. 2392 to 2407b, 9160; 2003 a. 91, 326; 2005 a. 22, 25; 2007 a. 1; 2007 a. 20 ss. 3006 to 3014, 9121 (6) (a); 2009 a. 28; 2011 a. 10, 32, 38, 155; s. 13.92 (2) (i).

- 16 **SECTION 6.** 562.025 (1) (intro.) of the statutes is amended to read:

- 17 562.025 (1) (intro.) No employee in the division of gaming who performs any
18 duty related to racing or ~~the executive assistant or the secretary or, deputy secretary,~~
19 or assistant deputy secretary of administration and no member of such a person's
20 immediate family, as defined in s. 19.42 (7), may, while that person is employed or
21 serves in such a capacity or for 2 years following the termination of his or her

1 employment with the department after having served in such a capacity, do any of
2 the following:

History: 1987 a. 354; 1989 a. 31; 1991 a. 269; 1993 a. 112, 213, 271; 1995 a. 27 s. 9123 (6pp); 1997 a. 27.

3 **SECTION 7. 563.05 (5) (intro.)** of the statutes is amended to read:

4 563.05 (5) (intro.) No employee in the division of gaming who performs any
5 duty related to bingo or raffles or ~~the executive assistant or the secretary or, deputy~~
6 secretary, or assistant deputy secretary of administration and no member of such a
7 person's immediate family, as defined in s. 19.42 (7), may, while that person is
8 employed or serves in such a capacity or for 2 years following the termination of his
9 or her employment with the department after having served in such a capacity, do
10 any of the following:

History: 1991 a. 269 ss. 782ad, 782ah, 1110b, 1110d; Stats. 1991 s. 563.05; 1995 a. 27 ss. 6976, 9123 (6pp); 1997 a. 27; 1999 a. 5; 2011 a. 32.

11 **SECTION 8. 564.02 (2m) (intro.)** of the statutes is amended to read:

12 564.02 (2m) CONFLICTS OF INTEREST. (intro.) No employee in the division of
13 gaming who performs any duty related to crane games or ~~the executive assistant or~~
14 the secretary or, deputy secretary, or assistant deputy secretary of administration
15 and no member of such a person's immediate family, as defined in s. 19.42 (7), may,
16 while that person is employed in such a capacity or for 2 years following the
17 termination of his or her employment with the department, do any of the following:

History: 1987 a. 329; 1987 a. 403 s. 181; Stats. 1987 s. 440.85; 1991 a. 269 ss. 1095i, 1110f; Stats. 1991 s. 564.02; 1995 a. 27 ss. 6977, 9123 (6pp); 1997 a. 27.

18 **SECTION 9. 565.05 (1) (intro.)** of the statutes is amended to read:

19 565.05 (1) (intro.) No employee in the lottery division of the department or ~~the~~
20 ~~executive assistant or the secretary or, deputy secretary, or assistant deputy~~
21 secretary of revenue may do any of the following:

History: 1987 a. 119; 1989 a. 99; 1991 a. 269; 1993 a. 112; 1995 a. 27; 1997 a. 27, 237.

22 **SECTION 10. 565.05 (1) (a)** of the statutes is amended to read:

1 565.05 (1) (a) Have a direct or indirect interest in, or be employed by, any
2 vendor while serving as an employee in the lottery division of the department or as
3 ~~the executive assistant or~~ as secretary [✓] or, deputy secretary, or assistant deputy
4 secretary of revenue or for 2 years following the person's termination of service.

History: 1987 a. 119; 1989 a. 99; 1991 a. 269; 1993 a. 112; 1995 a. 27; 1997 a. 27, 237.

5 **SECTION 11. 565.17 (5) (a)** of the statutes is amended to read:

6 565.17 (5) (a) No employee in the lottery division of the department or the
7 ~~executive assistant or~~ the secretary [✓] or, deputy secretary, or assistant deputy
8 secretary of revenue and no member of such a person's immediate family, as defined
9 in s. 19.42 (7), may purchase a lottery ticket or lottery share.

History: 1987 a. 119; 1991 a. 269; 1995 a. 27; 1997 a. 27, 237.

10

(END)



D Note
State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0707/12

RAC:kjf:jm

stays

RMR

DOA:.....Bong, BB0277 - Assistant Deputy Secretary Positions

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

D-note

*not app
off date ✓*

1 **AN ACT ...; relating to: the budget.**

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- 4 secretary may appoint an assistant deputy secretary to serve at his or her pleasure

outside the classified service. The assistant deputy secretary shall perform duties as the secretary prescribes.

(b) The attorney general, the adjutant general, the director of the technical college system, ~~and~~ the state superintendent of public instruction may appoint an executive assistant to serve at his or her pleasure outside the classified service. The executive assistant shall perform duties as his or her appointing authority prescribes.

SECTION 2. 15.05 (5) (title) of the statutes is amended to read:

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20.923 (9) EXECUTIVE ASSISTANT DEPUTY SECRETARY AND EXECUTIVE ASSISTANTS. Salaries for assistant deputy secretaries and executive assistants appointed under ss. 15.05 (3) and 15.06 (4m) shall be set by the appointing authority. The salary for an assistant deputy secretary or an executive assistant appointed under s. 15.05 (3) or 15.06 (4m), other than the salary for the executive assistant to the director of the technical college system, may not exceed the maximum of the salary range 2 ranges below the salary range for the executive salary group to which the department or agency head is assigned. The position of administrative assistant to the lieutenant governor shall be treated as are executive assistants for pay purposes under this subsection. The salary for the executive assistant appointed under s. 230.04 (16) shall be set by the appointing authority. The salary for that position may not exceed the maximum of the salary range 2 ranges below the salary range for the executive salary group to which the appointing authority is assigned.

SECTION 4. 93.02 of the statutes is amended to read:

*** NOTE: This is reconciled s. 15.05(3). This section has been affected by drafts with the following LRB#s: -0026 and -0707.

⑦

→
note: reconciliation

and the director of the historical society

1 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out
2 of the duties of the department, all of whom shall be under the classified service
3 except the deputy secretary, the executive assistant deputy secretary, and, subject
4 to s. 230.08 (4) (a), the administrators of divisions. Each such deputy secretary,
5 executive assistant deputy secretary, or administrator shall be appointed by the
6 secretary with the approval of the board.

7 **SECTION 5.** 230.08 (2) (fs) of the statutes is amended to read:

8 230.08 (2) (fs) All deputies of department secretaries appointed under s. 15.04
9 (2) and ~~executive assistants~~, assistant deputy secretaries to department secretaries
10 appointed under s. 15.05 (3), including those and executive assistants appointed by
11 the attorney general, the adjutant general, the director of the technical college
12 system, ~~and the state superintendent of public instruction~~ under s. 15.05 (3).

13 **SECTION 6.** 562.025 (1) (intro.) of the statutes is amended to read:

14 562.025 (1) (intro.) No employee in the division of gaming who performs any
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17 immediate family, as defined in s. 19.42 (7), may, while that person is employed or
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19 employment with the department after having served in such a capacity, do any of
20 the following:

21 **SECTION 7.** 563.05 (5) (intro.) of the statutes is amended to read:

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*xx Note: This is reconciled s. 230.08 (2) (fs).
This section has been affected by drafts with the
following LRB-0026 and LRB-0907.
LRB #s:

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and the director of the historical society

note: reconciliation

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18 ~~the executive assistant or~~ as secretary or, deputy secretary, or assistant deputy
19 secretary of revenue or for 2 years following the person's termination of service.

20 **SECTION 11.** 565.17 (5) (a) of the statutes is amended to read:

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22 ~~executive assistant or~~ the secretary or, deputy secretary, or assistant deputy
23 secretary of revenue and no member of such a person's immediate family, as defined
24 in s. 19.42 (7), may purchase a lottery ticket or lottery share.

25 (END)

DN ✓
This draft reconciles LRB-002611
and LRB-070711. ~~But~~ LRB-0026 and
LRB-0707 should continue to appear in
the compiled bill.

RAC

§ LRB-0222/PI §
, LRB-0222/PI,

§ LRB-0222 § ✓

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0707/2dn
RAC:kjfrs

February 13, 2013

This draft reconciles LRB-0026/1, LRB-0222/P1, and LRB-0707/1. LRB-0026, LRB-0222, and LRB-0707 should continue to appear in the compiled bill.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.wisconsin.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0707/2

RAC:kjfrs

DOA:.....Bong, BB0277 – Assistant Deputy Secretary Positions

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

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2 as the secretary prescribes.

3 (b) The attorney general, the adjutant general, the director of the technical
4 college system, the state superintendent of public instruction, and the director of the
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14 the attorney general, the adjutant general, the director of the technical college
15 system ~~and, the state superintendent of public instruction, and the director of the~~
16 historical society under s. 15.05 (3).

****NOTE: This is reconciled s. 230.08 (2) (fs). This SECTION has been affected by
drafts with the following LRB numbers: LRB-0026 and LRB-0707.

17 **SECTION 6.** 562.025 (1) (intro.) of the statutes is amended to read:

18 562.025 (1) (intro.) No employee in the division of gaming who performs any
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21 565.17 (5) (a) No employee in the lottery division of the department or ~~the~~
22 ~~executive assistant or the secretary or, deputy secretary, or assistant deputy~~
23 ~~secretary~~ of revenue and no member of such a person's immediate family, as defined
24 in s. 19.42 (7), may purchase a lottery ticket or lottery share.

25 (END)